

**FINDING OF SUITABILITY TO TRANSFER (FOST)**  
**McClellan Business Park**  
**Northeast Parcel (NE Parcel) FOST**

**1. PURPOSE**

1.1 The purpose of this Finding of Suitability to Transfer (FOST) is to document environment-related findings and the suitability to transfer the NE Parcel and any improvements (the "Property") on the former McClellan Air Force Base, California, to the County of Sacramento. A description of the Property is provided in Section 2 below. The Property will be transferred by deed and its anticipated use is mixed use, housing and retail.

1.2 This FOST is a result of a thorough analysis of information contained in the following documents:

- The Final Programmatic Environmental Impact Statement for Disposal and the Environmental Impact Report (FPEIS/EIR) for Reuse of and Rezoning of McClellan AFB, California dated July 1997;
- Record of Decision (ROD) for the FPEIS/EIR dated August 1997;
- Supplemental ROD for the FPEIS/EIR dated December 1997;
- Final Supplemental Environmental Baseline Survey for the property dated July 1997 (as amended December 1997);
- Site Specific Supplemental Environmental Baseline Survey (SSSEBS), Group 6, June 2000;
- Draft Final Local Reuse Authority Initial Parcel Record of Decision #2, for the Former McClellan Air Force Base (McAFB), February 2006;
- NE Parcel Phase I Environmental Site Assessment (ESA), March 2006;
- NE Parcel Phase I ESA Addendum, May 2006;
- Visual Site Inspection (VSI), June 2000, updated/recertified in February 2006.

**2. PROPERTY DESCRIPTION**

The Property is shown on the map included at Attachment 1 and totals approximately 14.22 acres. The Property also includes the following improvements listed below in Table 2.0:

**Table 2.0**  
**Property Inventory Description**

<b>Facility Number</b>	<b>Lot</b>	<b>Former Air Force Use</b>	<b>Approximate Parcel Area (Acres)</b>
Parking Lot	2	Parking lot for ball fields (east), gym (south), and surrounding Freedom Park (north and west)	1.24
1436 and 1438	3	Tennis Courty (1436) and Talbot Center Gymnasium	4.26
No Buildings	4	Parking lot (Section of the parcel involved in this FOST	2.44
Bldg 1440 and 1445	1	Morale, Welfare and Recreation Equipment checkout center; Storage; Motor maintenance shop, wood shop, battery storage	3.01
No Buildings	5	Vacant	3.27

### 3. NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) COMPLIANCE

The environmental impacts of this transfer have been adequately analyzed and disclosed in compliance with NEPA. These impacts are analyzed in a FEIS and/or SEIS. The identified environmental impacts were determined to be insignificant.

### 4. ENVIRONMENTAL CONDITION OF THE PROPERTY

Based on a review of the VSI in the SSSEBS and the supporting Phase I ESA documentation the Property is considered Department of Defense Environmental Condition Category (ECC) 1, *areas where no release or disposal of hazardous substances or petroleum products has occurred (including no migration of these substances from adjacent areas).*

In the Group 6 SSSEBS all of the property was identified as ECC 7, *areas that have not been evaluated or that require further evaluation.* The Group 6 SSSEBS property is substantially larger than the NE Parcel property. The Group 6 SSSEBS property included a number of IRP Sites (e.g., AOC G-1, AOC G-2, PRL L-001 and PRL S-042) that at the time of the SSSEBS had soil and soil gas data gaps. The NE Parcel does not contain any of these IRP Sites (see Section 5.2). The Phase I ESA addendum evaluated the IRP sites that are within ¼ mile of the NE Parcel, and concluded that these sites have no environmental impact on the NE Parcel.

<b>Parcel</b>	<b>Reason for change in Environmental Condition Category</b>
215-0300-030	Viewed historical information as discussed in SSSEBS, Group 6, and determined that no storage, released, or disposal occurred on the property.
215-0300-031	Viewed historical information as discussed in SSSEBS, Group 6, and determined that no storage, released, or disposal occurred on the property.
215-0300-052	Viewed historical information as discussed in SSSEBS, Group 6, and determined that no storage, released, or disposal occurred on the property.
215-0300-055	Viewed historical information as discussed in SSSEBS, Group 6, and determined that no storage, released, or disposal occurred on the property.
215-0300-063	Viewed historical information as discussed in SSSEBS, Group 6, and determined that no storage, released, or disposal occurred on the property.

### 5. DEED RESTRICTIONS AND NOTIFICATIONS

The environmental documents listed in Section 1.2 were evaluated to identify environmental factors listed in Attachment 2 that may warrant constraints on certain activities in order to minimize or eliminate risks to human health or the environment. Such constraints typically are embodied as permanent restrictions in the deed or as a specific notification to the transferee. There are no environmental conditions on the NE Parcel that warrant deed restrictions. The factors that require specific notifications are identified in Attachment 2 and are discussed below.

The Air Force has determined that the remaining factors listed in Attachment 2 do not pose an unacceptable threat to human health or the environment, consistent with governing regulatory processes, and, therefore, do not require deed restrictions or notifications to the Transferee and thus are not discussed below.

## 5.1 Hazardous Substances Notification

A hazardous substance notification need not be given because no hazardous substances were stored for one (1) year or more in quantities greater than or equal to: (1) 1,000 kilograms or the hazardous substance's CERCLA reportable quantity found in 40 CFR Part 302.4, whichever is greater (40 CFR Part 373.2(b)); or (2) 1 kilogram if the substance is an acutely hazardous substance as described in 40 CFR Part 261.30 (40 CFR Part 373.2(b)), or were known to have been released, treated, or disposed of on the property. In addition, no evidence of a release of any hazardous substances to the environment was identified during the VSI.

Building 1440 was used as outdoor equipment checkout (recreation center) until 1997, and inactive since that time. The items available for checkout included skis, tents, boats, and travel trailers. During the process of operating the equipment checkout, incidental amounts of recreational equipment maintenance and repair was conducted that required the storage/use of small amounts of hazardous materials (e.g., fuel, oil, and batteries). No hazardous materials were present in Building 1440 during the SSSEBS VSI conducted in 2000. No hazardous wastes were identified or observed to be generated and/or stored within the Building 1440 during the SSSEBS record search and VSI.

## 5.2 Environmental Restoration Program: Installation Restoration Program (IRP) sites, Environmental Compliance-Closure Related (EC-CR) sites, and Areas of Concern (AOC).

The NE FOST parcel includes a portion of AOC G-1 as it was identified during the installation restoration program's preliminary assessment stage. The AOC G-1 remedial investigation and the NE Parcel Phase 1 ESA conducted records review (e.g., title records, historic property usage, aerial photo and interpretation), interviews, site surveys and investigations of AOC G-1. The conclusion of this work is that any AOC G-1 environmental concerns are completely outside of the NE FOST property. No other IRP sites, EC-CR sites, or AOCs are located on the property. The property is suitable for transfer by deed.

Extensive groundwater investigations, monitoring and cleanup has been conducted at the former McClellan AFB. There is no known or suspected groundwater contamination underlying the NE FOST property. Groundwater monitoring and corresponding reporting in the vicinity of the property has been ongoing for over 10 years. There are currently approximately 30 monitoring wells within the immediate vicinity of the property. The McClellan groundwater monitoring program has documented the following:

- The NE FOST property is within 2,000 feet of three small groundwater plumes
- The release locations and boundary of these three small plumes is outside of the NE FOST property
- The primary groundwater flow direction moves the plumes away from the NE FOST property (the plumes are under active remediation starting in October 2005)

Because the property is within 2,000 feet of the three small groundwater, it is within the County of Sacramento Consultation Zone. The Sacramento County Well Ordinance found in Sacramento County Code, Chapter 6.28, Wells and Pumps, Section 6.28.000(G) contains the consultation zone requirements.

Covenants will be included in the deed to ensure that any response or corrective actions that are the responsibility of the Air Force for hazardous substances released or disposed of on the property prior to the date of the deed which are found to be necessary after the date of delivery of the deed will be conducted by the United States. Provisions will also be included in the deed to allow the United States access to the property in any case where any such response or corrective action is found to be necessary, or where such access is necessary to carry out a response or corrective action on adjoining property.

### 5.3 Asbestos Containing Material (ACM)

The Property described in Section 2.0 contains asbestos-containing material (ACM) in Buildings 1438, 1440, and 1445 as stated in the SSSEBS, Group 6.

**ACM in Structures or Buildings:** Based on an inspection of the property and a review of the environmental baseline survey reports, the ACM located in structures on the property is in good condition and not damaged or deteriorated to the extent that it creates a potential source of airborne fibers.

**ACM in Utility Pipelines:** No CERCLA remedial action for ACM in below ground utility pipelines is required. ACM, such as transite pipes or pipes wrapped with asbestos insulation, may be found in (or on) utility pipelines located on the property. ACM associated with utility pipelines below ground does not pose a threat to human health or environment as long as it is not disturbed, or, if it is disturbed, proper care is taken to manage and dispose of it. Utility pipelines below the ground have not been inspected. The property recipients and subsequent transferees will be given notice of the possibility of ACM in utility pipelines through a notice in the deed. The deed will provide notice to the property recipients that the Air Force will not be responsible for the ACM in utility pipelines.

**ACM in Demolition Debris:** ACM, which was commonly used in building materials, may be located at building demolition locations. Based upon an inspection of the property and a review of the environmental baseline survey reports, no such locations are specifically known at the former McClellan Air Force Base. No CERCLA remedial action is required at this time. However, it is possible that there are undiscovered locations where demolition debris may be found by the property recipient or subsequent transferees during ground disturbance activities. The property recipient and subsequent transferees will be cautioned by notice in the deed to exercise care during ground disturbing activities. The property recipient or subsequent transferees will be required to notify the Air Force promptly of any demolition debris containing friable asbestos and believed to be associated with Air Force activities. The property recipients or subsequent transferees will be required to allow the Air Force a reasonable opportunity to investigate and, if a CERCLA remedial action is necessary, to accomplish it.

**General:** The deed will contain a provision stating that the property recipient and subsequent transferees, in their use and occupancy of the property, will be responsible for complying with all applicable Federal, state, and local laws relating to asbestos. The deed will also state that the Air Force will be responsible for conducting any CERCLA remedial action found to be necessary for hazardous substances released or disposed of on the property prior to the date of the deed, so long as the property recipient is not a potentially responsible party under CERCLA for the release or disposal.

#### 5.4 Lead-Based Paint (LBP) - Facilities other than Target Housing & Residential Property

LBP and/or LBP hazards might be present in facilities other than target housing and residential property on the property if the facilities were built prior to 1978. The Transferee will be notified through the supporting SSSEBS, Group 6, documentation, of the possible presence of LBP and/or LBP hazards in these facilities. Notice was provided to the Transferee in the contract for sale that the Transferee would be responsible for managing all LBP and potential LBP in compliance with all applicable laws and regulations.

As a matter of DoD policy, the Air Force performed a LBP Evaluation of child-occupied facility Property (Building 1438 – the Family Fitness Center) where children were occasionally present. The Transferee has agreed, through the contract for sale, to abate all LBP hazards in child-occupied facilities (e.g., day care centers, preschools, and kindergarten classrooms visited regularly by children under 6 years of age) that will be reused as child-occupied facilities following transfer of the property, in accordance with the DoD/EPA Field Guide Policies that exceed Title X. The deed will contain a covenant with the Transferee's obligations to abate LBP hazards.

#### 5.5 Lead-Based Paint and Lead-Based Paint Containing Materials and Debris (collectively "LBP")

Lead-based paint was commonly used prior to 1978 and may be located on the Property. The Transferee is advised to exercise caution during any use of the Property that may result in exposure to LBP. Appropriate notification and transferees responsibilities, consistent with AFRPA policy, will be provided in the deed relative to this fact of common use of LBP prior to 1978.

### 6. REGULATOR COORDINATION

The Department of Toxic Substance Control (DTSC), Central Valley Regional Water Quality Control Board (CVRWQCB), and the United States Environmental Protection Agency (EPA), Region #9 were notified on 10 January 2006, of the initiation of this FOST, and the Phase I ESA documentation and were invited to participate in preparing the working draft documents consistent with the provisions of AFPRA's Procedures for Processing Findings of Suitability to Lease/Transfer (FOSL/FOST and Supporting Environmental Documents, issued jointly by Alan K. Olsen, AFBCA, Thomas W. L. McCall Jr., DAS/ESOH, and Timothy Fields Jr., DAA/OSWER in a memo dated Jun 8, 1995). Consolidated draft documents were provided on 16 March 2006 for their formal review and comment.

DTSC requested the following announcement be included in this FOST: Should this property be considered for the proposed acquisition and/or construction of school properties utilizing State funding, a separate environmental review process in compliance with California Education Code 12710 et.seq. will need to be considered and approved by DTSC

## 7. UNRESOLVED REGULATORY COMMENT.

A draft final FOST and supporting EBS documentation were provided for final coordination. All regulator comments (Attachment 3) were addressed and/or incorporated (Attachment 4) with the exception of one DTSC comment. The unresolved comment regards the possible presents of lead in soil from the use of LBP on buildings within this property (Attachments 3 & 4, DTSC comments dated 5 June 2006, Comment #5). The regulators concurred that their comments were accurately addressed with the exception of the LBP unresolved comment (See FOST concurrence related correspondence at Attachment 5).

## 8. PUBLIC NOTICE

Public notice, as required by the FOST process, was provided on 3 April 2006 (a copy of notice is included at Attachment 6).

## 9. FINDING OF SUITABILITY TO TRANSFER

The proposal to transfer this Property has been adequately assessed and evaluated for: (a) the presence of hazardous substances and contamination on the Property, (b) environmental impacts anticipated from the intended use of the Property, (c) the adequacy notice of disclosure resources. The anticipated future use of this Property does not present a current or future risk to human health or the environment, subject to inclusion and compliance with the disclosures as addressed above. The following covenant CERCLA language will be include in the Deed:

- CERCLA 120(h)(4)(D)(i) warranting that any response action or corrective action necessary after the date of this transfer of the Property shall be conducted by the United States.
- CERCLA 120(h)(4)(A)(ii) granting the United States access to the Property in any case in which remedial action or corrective action is found to be necessary after the date of transfer.

The Air Force, as lead agency, has determined that the Property qualifies as “uncontaminated property” under CERCLA Section 120(h)(4). EPA has concurred in that determination by its concurrence in this FOST (see attachment 5). The conditions of CERCLA Section 120(h)(4) have been satisfied. The Property, therefore, is suitable to transfer.

30 Jun 06  
Date

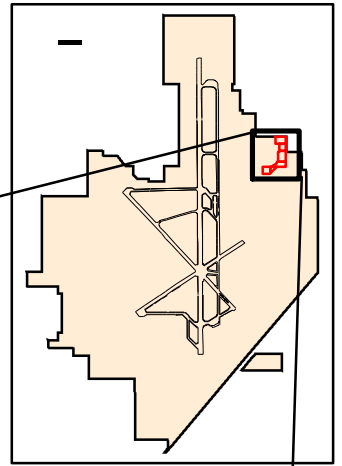
Kathy M. Halvorson  
KATHRYN M. HALVORSON  
Director  
Air Force Real Property Agency

### Attachments:

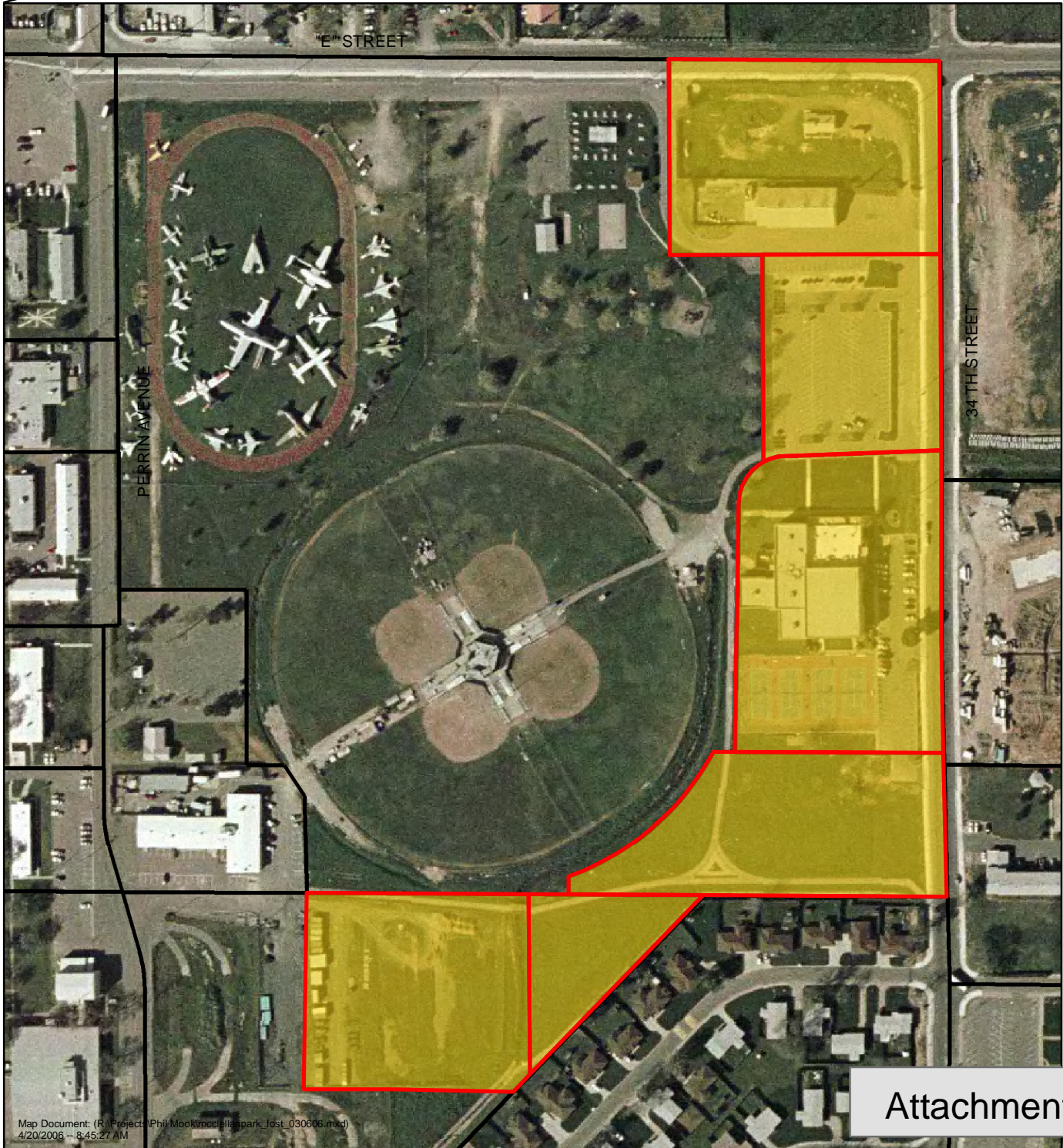
1. Property Map
2. Environmental Factors Table
3. Regulator Comments
4. Air Force Response to Regulator Comments
5. FOST Concurrence Related Correspondence
6. FOST Public Notice and Related Correspondence

Former McClellan Air Force Base, NE FOST  
**Property Map(s)**

# North East Parcel FOST



0 50 100 200 300 400  
Feet



Attachment 1

# ENVIRONMENTAL FACTORS TABLE

(Note: Each Factor identified with an "X" in the "Yes" column is discussed in Section 5)

Deed Restriction or Notification Required?			<i>Environmental Factors Considered</i>
No	Yes <sup>1</sup>		
	Notification	Deed Restriction	<i>Environmental Restoration, Hazardous Substances, Petroleum</i>
X			Hazardous Substances (Notification)
X			Environmental Restoration Program; (IRP, EC-CR, and AOC)
X			Petroleum Products and Derivatives
X			Storage Tanks (USTs/ASTs)
X			Oil/Water Separators (OWSs)
X			Military Munitions (UXO), (DMM), (WMM), (MC)
X			Radioactive & Mixed Wastes
			<b><i>Disclosure Factors/Resources:</i></b>
	X		Asbestos Containing Material (ACM)
X			Drinking Water Quality
X			Indoor Air Quality (Radon)
X			Lead-Based Paint (Target Housing & Residential Property)
	X		Lead-Based Paint (Other than Target Housing & Res Property)
	X		LBP and LBP Containing Materials and Debris
X			PCBs
			<b><i>Other Factors:</i></b>
X			Outdoor Air Quality/Air Conformity/Air Permits
X			Energy (Utilities)
X			Flood plains
X			Historic Property (Archeological/Native American, Paleontological)
X			Sanitary Sewer Systems
X			Septic Tanks
X			Solid Waste
X			<b><i>Biological Resources:</i></b>
X			Sensitive Habitat
X			Threatened and Endangered Species
X			Wetlands

<sup>1</sup> If yes indicate type, notification or deed restriction, by placing X in appropriate column. Note: It is possible and permissible that both types of actions could be required for a single factor.

**Attachment 3**  
**REGULATORY COMMENTS**



Dan Skopec  
Acting Secretary

# California Regional Water Quality Control Board Central Valley Region

Robert Schneider, Chair



Arnold  
Schwarzenegger  
Governor

## Sacramento Main Office

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17 April 2006

Attention: Mr. Philip H. Mook, Jr., P.E.  
AFRPA Western Region Execution Center  
3411 Olson Street  
McClellan, CA 95652-1003

### ***DRAFT NORTHEAST FINDING OF SUITABILITY FOR TRANSFER (FOST) (DSR# 1853-1), FORMER McCLELLAN AIR FORCE BASE (AFB), SACRAMENTO COUNTY***

Regional Water Quality Control Board (Regional Board) staff reviewed the subject document (FOST), submitted 20 March 2006. The purpose of the FOST is to document environmental-related findings and the suitability to transfer the real property (approximately 12 acres) and any improvements on the Northeast FOST at the former McClellan AFB to McClellan Business Park. The property will be transferred by deed and its anticipated use is mixed use housing and retail use. Regional Board staff's General and Specific Comments on the FOST are presented below.

#### **GENERAL COMMENTS**

1. The Northeast FOST property is within 2,000 feet of three small groundwater plumes in the northeast portion of the former base boundary. Therefore, the Northeast FOST property is within the County of Sacramento Consultation Zone. Any new supply wells proposed in the Northeast FOST property would be subject to the Consultation Zone requirements. Specifically, the concern would be that any new supply well installed on the Northeast FOST property not negatively influence groundwater contaminant plumes in the area. The Consultation Zone is included in the Sacramento County Well Ordinance in Sacramento County Code, Chapter 6.28, Wells and Pumps, Section 6.28.000 (G). This section states the following:

*"Any application for a well permit within 2000 feet of a known groundwater contaminant plume is subject to special review by appropriate regulatory agencies, including but not limited to the Sacramento County Environmental Management Department and the California Regional Water Quality Control Board, Central Valley Region, to evaluate potential impacts to public health and groundwater quality."*

The FOST should be revised to include this information along with a reference to the county ordinance cited above.

## SPECIFIC COMMENTS

1. Attachment CD, Phase I Environmental Assessment, Section 3.3, page 8, third bullet item, forth sentence: Regarding Parcel Number 215-0300-052-0000, this sentence states that, *"The southern portion of this parcel is the location of a removed aboveground storage tank, which is under remediation by the former McClellan AFB's office of Air Force Real Property Agency."* This information is not accurate and implies that there is a former aboveground storage tank site requiring remediation within the parcel boundary. The location of the former aboveground storage tank (Tank 1060) is outside the southwest corner of the boundary of the referenced parcel. The Installation Restoration Program site associated with this location is AOC G-2. Currently, a bioventing system installed to address petroleum contamination at this site is shut down and the site is being evaluated for final remedial action in the *Draft Final Local Reuse Authority Initial Parcel Record of Decision #2* (February 2006). The FOST should be revised to correct the inaccurate information included in the Phase I Environmental Assessment.

If you have any questions, please contact me at (916) 464-4669, or e-mail me at [jdtaylor@waterboards.ca.gov](mailto:jdtaylor@waterboards.ca.gov).

/S/

JAMES D. TAYLOR, R.G.  
Engineering Geologist

cc: Mr. Joe Healy, United States Environmental Protection Agency, San Francisco  
Mr. Kevin Depies, Department of Toxic Substances Control, Sacramento  
Mr. Steve Mayer, AFRPA Western Region Execution Center, McClellan  
Mr. Don Gronstal, AFRPA Western Region Execution Center, McClellan



Dan Skopec  
Acting Secretary  
Cal/EPA



## Department of Toxic Substances Control

Maureen F. Gorsen, Director  
8800 Cal Center Drive  
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Arnold Schwarzenegger  
Governor

Phil Mook Copy

May 16, 2006

Mr. Philip H. Mook Jr., P.E.  
AFRPA Western Region Execution Center  
3411 Olson Street  
McClellan, California 95652-1003

REVIEW OF DRAFT FINDING OF SUITABILITY FOR TRANSFER OF THE  
NORTHEAST PROPERTY, (NE FOST) FORMER MCCLELLAN AIR FORCE BASE,  
DATED MARCH 16, 2006

Dear Mr. Mook:

The Department of Toxic Substances Control (DTSC) has reviewed the draft FOST and submits the following comments.

### General Comments:

1. The FOST proposes the property as uncontaminated. Therefore, the FOST should contain sufficient information and rationale to support no release of hazardous substances on the property (e.g. storage of hazardous materials associated with wood shop, motor maintenance shop, battery storage) in addition to no impacts from adjacent contaminated sites.
2. Please add the following language to FOST text: Should this property be considered for the proposed acquisition and/or construction of school properties utilizing State funding, a separate environmental review process in compliance with California Education Code 12710 et.seq will need to be conducted and approved by DTSC.

### Specific Comments:

1. Several of the NE FOST parcels comprise a portion of designated Air Force Installation Restoration Program (IRP) site AOC,G-1. Sampling has been

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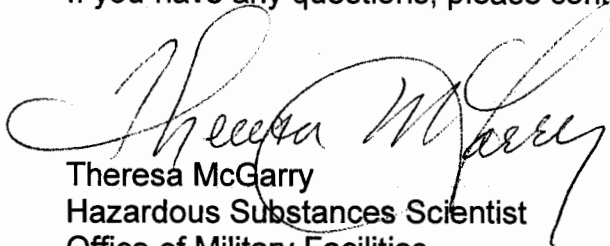
MAY 17 2006

performed only in the western portion and contamination has been found in the southwestern portion of AOC G-1, in an area west of the NE FOST parcels. The document needs to justify with additional information that the parcels in the NE FOST are not contaminated. This was effectively demonstrated to DTSC in a meeting on February 16, 2006. One way to document this would be by providing a use timeline for each of the parcels similar to what was presented during the February meeting. As part of this timeline, any suspected activity that could have led to contamination should be discussed and a reason given why the contamination likely did not occur. Lastly, the document should clearly reference what was used to develop the timeline, or if available, where the information is published.

2. Related to Comment 1, the document identifies several references that were used in developing the NE FOST. At least some of these are likely to contain information leading to the conclusion that the NE FOST parcels are not contaminated. The NE FOST should identify which referenced documents were used to make these conclusions.
3. A significant source of volatile organic compounds, which have contributed to groundwater contamination, is located just southwest of the NE FOST parcels. The NE FOST needs to provide justification that groundwater below the parcels is not contaminated at concentrations above Federal/State Maximum Contaminant Levels. This justification needs to factor in the uncertainties associated with definitively identifying contaminated groundwater nature and extent.
4. Industrial activities have historically occurred in the southernmost parcel (215 0300-052 in NE FOST Attachment 1) in the NE FOST. This parcel has never been sampled, presumably because the Air Force believed there was no contaminant release. With no sampling done, there is uncertainty (albeit limited) as to whether there is contamination present. Additionally, this parcel is adjacent to a former oil refueling facility (IRP Site AOC G-2) with documented fuel contamination in the soil. Based on the contamination uncertainty and the proximity to site AOC G-2, we believe it prudent to not include Parcel 215 0300 052 in the NE FOST unless it can be demonstrated that the parcel is not contaminated, nor adversely impacted by AOC G-2.
5. The soils surrounding structures built before 1978 should be evaluated for the potential release of lead-based paint from structures.

Mr. Philip H. Mook Jr. P.E.  
May 16, 2006  
Page 3

If you have any questions, please contact me at (916) 255-3664.



Theresa McGarry  
Hazardous Substances Scientist  
Office of Military Facilities

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Linda S. Adams  
Secretary for  
Environmental Protection



## Department of Toxic Substances Control

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Arnold Schwarzenegger  
Governor

June 13, 2006

Mr. Steve Mayer  
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### COMMENTS ON THE DRAFT FINAL NORTHEAST PARCEL FINDING OF SUITABILITY FOR TRANSFER, FORMER MCCLELLAN AIR FORCE BASE (DSR 1853-4)

Dear Mr. Mayer:

The Department of Toxic Substances Control (DTSC) has reviewed the responses to comments (RTCs) on the *Draft Final Northeast Parcel (NE Parcel) Finding of Suitability for Transfer*, for the former McClellan Air Force Base, Sacramento, California, dated May 2006 (hereafter referred to as the FOST). The Draft final FOST was distributed via e-mail on May 22, 2006. Below are our comments. Please make the requested changes to the FOST, or append these comments as unresolved issues.

#### Comments

1. Response to DTSC General Comment 1 and Specific Comment 1. We appreciate the Air Force's attempt to address our comments by adding the Phase I Environmental Assessment (ESA) Addendum to the FOST. However, the response did not fully address our comment and appears inaccurate. We requested that sufficient justification be provided to show that the FOST parcel does not overlap with the disposal pit in the western portion of site AOC G-1. The response essentially says that "AOC G-1 is outside the FOST boundary." This is inconsistent with all other McClellan documents showing the AOC G-1 location. The response also notes that the Phase I Environmental Site Assessment has been updated to show that the parcel and AOC G-1 are not contiguous. This updated ESA was provided as an Addendum attachment to the draft final FOST. Yet, the description of AOC G-1 and the map presented in the ESA Addendum clearly show that the

parcel is in AOC G-1. We believe we have a mutual understanding that the portion of the FOST parcel on the east side of AOC G-1 is uncontaminated, but we need justification presented either directly in the FOST or in a supporting document. The FOST and Addendum do not achieve this.

2. Response to DTSC General Comment 2. We again request that the Air Force include the following language in the FOST as a notification to the future property owners: "Should this property be considered for the proposed acquisition and/or construction of school properties utilizing State funding, a separate environmental review process in compliance with California Education Code 12710 et seq. will need to be considered and approved by DTSC."

This type of notification language is routinely included in FOSTs, DTSC's Office of Military Facilities (OMF) also routinely includes it in no further action letters. All property in California is subject to these Education Code requirements. Our desire is to assure that the future property owner understands that OMF's concurrence with the FOST does not mean that they do not have to satisfy the Education Code requirements should a school be built on the property.

3. Response to DTSC Specific Comment 3. Our comment was for the Air Force to provide sufficient justification that the FOST parcel not overlies contaminated groundwater. The response refers us to the ESA Addendum for this justification. We believe you are referring to the discussion for contaminated site PRL T-044 in the addendum. The only apparent justification is a statement that the FOST parcel is upgradient of PRL T-044 so that groundwater below the FOST parcel could not be impacted. This is an inaccurate statement as periodically (approximately one quarter per year) the flow direction is directly from PRL T-044 to the FOST parcel. As requested in our original comment, please provide sufficient justification that the FOST parcel is not impacted by groundwater contamination.
4. Response to DTSC Specific Comment 4. The response provides no backup justification addressing our concern. Our concern is the potential impact of AOC G-2 to and the potential for contamination in the southwestern-most parcel in the FOST. The response essentially states that AOC G-2 has undergone extensive investigations and the nature and extent of contamination understood, but provided none of the requested justification. AOC G-2 is an industrial site that contained an above-ground tank within a bermed area, and numerous pipelines, filling stations, and drains. Contamination has been found within the bermed area of AOC G-2. Investigation borings outside the bermed area are spaced at approximately 50 to 100 foot intervals. Based on the investigation conducted to date, DTSC concurs

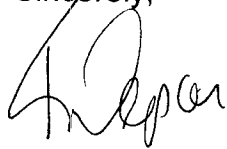
Mr. Steve Mayer  
June 13, 2006  
Page 3

that the likelihood of contamination in the areas of the pipelines, filling stations, and drains, outside the bermed area is relatively small, yet there is a potential. Additionally, aerial photographs clearly show industrial activities in the southwest portion of the FOST parcel. No investigation work has been conducted in this area. Based on the contamination uncertainty and the proximity to AOC G-2, we continue to believe it is not prudent to include this parcel (the western portion of Parcel 215-0300 052) in the FOST unless the Air Force can demonstrate that the parcel is not contaminated, nor adversely impacted by AOC G-2.

5. Response to DTSC Specific Comment 5. There are buildings on these parcels that may contain lead based paint. There will be no restrictions on the use of this parcel. The soil surrounding these buildings has not been sampled. DTSC's position is that property where it is likely that lead based paint has been released into the soil must be sampled, and the sample results evaluated using DTSC's Lead Risk Assessment Spreadsheet (LeadSpread 7). LeadSpread 7 uses site-specific information, but results typically show that lead concentrations in soil of approximately 150 ppm are suitable for residential use. If the results of this sampling show that these parcels are not suitable for unrestricted use, the soil must be remediated, or its use restricted appropriately. DTSC will work with the property recipient to deal with any issues regarding residual lead based paint in soil.

If you have any questions regarding these comments, please contact Ms. Theresa McGarry at (916) 255-3664 or Mr. Dan Ward at (916) 255-3676.

Sincerely,



Kevin Depies, PG  
Project Manager  
Base Closure Unit  
Office of Military Facilities

cc: Mr. Allen Hersh  
McClellan Park  
3140 Peacekeeper Way  
McClellan, California 95652

Mr. Steve Mayer  
June 13, 2006  
Page 4

cc: Mr. Joe Healy (SFD 8-1)  
United States Environmental Protection Agency  
Region IX  
75 Hawthorne Street  
San Francisco, California 94105

Mr. James Taylor  
California Regional Water Quality Control Board  
Central Valley Division  
11020 Sun Center Drive # 200  
Rancho Cordova, California 95670-6114



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105

April 18, 2006

AFRPA Western Region Execution Center  
Attn: Phil Mook  
3411 Olson St.  
McClellan, CA 95652-1071

Subject: EPA Comments (DSR # ???? ) on draft Northeast FOST

Dear Phil:

Attached are comments from EPA's attorney on the March 16, 2006 draft Northeast FOST. I have reviewed these comments and am forwarding them to you, along with my attached comments, as EPA's official comments on the subject document.

If you have any questions, please do not hesitate to call me at (415) 972-3269.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph B. Healy, Jr.", written in a cursive style.

Joseph B. Healy, Jr.  
Remedial Project Manager

JBH/jbh

Attachments:

Robert Carr's comments on subject document  
Joe Healy's comments on subject document

cc: Kevin Depies (DTSC)  
Chris Sherman (DTSC)  
James Taylor (RWQCB)  
~~Steve Mayer (AFRPA)~~  
Don Gronstal

RECEIVED

APR 24 2006

**Robert Carr's Comments on**  
**March 16, 2006 draft Northeast FOST**

1. The NE FOST describes an area which the AF believes is uncontaminated, but it is not clear from the document whether the AF is asserting that the property is suitable for transfer under 120(h)(3) or 120(h)(4). If the latter, there needs to be language in the FOST which describes how the AF has proposed and the regulators have accepted the identification of the parcel(s) as "uncontaminated" under 120(h)(4).
2. Regarding the preceding comment, please note, however, that there is information in the ESA which suggests that there is ongoing remediation associated with a former tank on the parcel. If the area where the tank was located and the material was spilled/released is within the FOST parcel, then that portion of the parcel does not meet the criteria for 120(h)(4); if, however, that area is outside of the FOST parcel, the description needs to be clarified.
3. The FOST also refers to the use of Building 1440/1445 as a wood shop, motor maintenance shop and battery storage area. These activities frequently involve the storage of hazardous substances and are often associated with releases of hazardous substances. What information is available to support the assertion that no storage, release or disposal of hazardous substances has taken place at these buildings?
4. Section 5.2 applies the standards of 40 CFR 302.4 to make the determination that no hazardous substances were stored, released or disposed of on the parcels. This is not the standard for identification of uncontaminated parcels under 120(h)(4) and the language needs to be revised if the parcels are being proposed for transfer under (h)(4).
5. Since there are no restrictions proposed for this parcel, the language which qualifies the obligation of the AF to conduct additional response or corrective action, required to allow a change in land use, should be eliminated.
6. The ESA indicates at Tables 4-2, 4-3 and 4-4 that the title to the property has been transferred to McClellan Park. This is clearly not correct and raises concerns regarding the balance of the information contained in the ESA. Please revise the tables and undertake a check of the factual basis for the other claims in the document.

**Joe Healy's Comments on  
March 16, 2006 draft Northeast FOST**

1. Please add a map that shows the location of the nearest significant IRP sites and groundwater contamination plumes in relation to the FOST parcels.
2. Discuss in the FOST text the status of the nearest significant IRP sites and groundwater contamination plumes and the level or lack of direct impacts on the FOST parcels. For example, the IRP site to the West once had boundaries overlapping parts of some of these parcels. Explain or reference the explanation for how the source contamination is not located on or directly affecting the parcels.
3. Please include a list of key references for the claims made in this FOST, including claims about the contamination at nearby sites requested in the preceding comments.
4. Please clarify the correct status of the tank sites nearby. I believe the RWQCB is making a more detailed comment about one of these nearby sites.
5. Please assign a DSR number to this document so that it's versions and comments can be tracked along with other McClellan schedules.

**Attachment 4**  
**AF RESPONSE TO REGULATORY COMMENTS**

RWQCB's comments  
**James Taylor' Comments on**  
 March 16, 2006 draft Northeast FOST

CMT #	Comment	Response
General 1	<p>The Northeast FOST property in within 2,000 feet of three small groundwater plumes in the northeast portion of the former base boundary. Therefore, the Northeast FOST property is within the County of Sacramento Consultation Zone. Any new supply wells proposed in the Northeast FOST property would be subject to the Consultation Zone requirements. Specifically, the concern would be that any new supply well installed on the Northeast FOST property not negatively influence groundwater contaminant plumes in the area. The Consultation Zone is included in the Sacramento County Well Ordinance in Sacramento County Code, Chapter 6.28, Wells and Pumps, Section 6.28.000 (G). This section states the following:</p> <p><i>“Any application for a well permit within 2000 feet of a known groundwater contaminant plume is subject to special review by appropriate regulatory agencies, including but not limited to the Sacramento County Environmental Management Department and the California Regional Water Quality Control Board, Central Valley Region, to evaluate potential impacts to public health and groundwater quality.”</i></p> <p>The FOST should be revised to include this information along with a reference to the county ordinance cited above.</p>	<p>Notification that the NE FOST parcel is within the 2000 foot County of Sacramento consultation zone and reference to the county ordinance has been added to Section 5.2.</p>
Specific 1	<p>Attachment CD, Phase I Environmental Assessment, Section 3.3, page 8, third bullet item, forth sentence: Regarding Parcel Number 215-0300-052-0000, this sentence states that, <i>“The southern portion of this parcel is the location of a removed aboveground storage tank, which is under remediation by the former McClellan AFB’s</i></p>	<p>Although the tank is within the Parcel as designated by the Sacramento County Assessor’s office the tank is outside the FOST boundaries. The tank located to the south of the FOST boundary is not part of the area scheduled for transfer. The tank will not impact</p>

	<p><i>office of Air Force Real Property Agency.</i>” This information is not accurate and implies that there is a former aboveground storage tank site requiring remediation within the parcel boundary. The location of the former aboveground storage tank (Tank 1060) is outside the southwest corner of the boundary of the referenced parcel. The Installation Restoration Program site associated with this location is AOC G-2. Currently, a bioventing system installed to address petroleum contamination at this site is shut down and the site is being evaluated for final remedial action in the <i>Draft Final Local Reuse Authority Initial Parcel Record of Decision #2</i> (February 2006). The FOST should be revised to correct the inaccurate information included in the Phase I Environmental Assessment.</p>	<p>the property transfer. Phase I ESA has been changed and updated to reflect that the tank is outside the FOST boundary.</p>
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DTSC's comments  
Theresa McGarry's **Comments on**  
March 16, 2006 draft Northeast FOST

CMT #	Comment	Response
General Comment 1	The FOST proposes the property as uncontaminated. Therefore, the FOST should contain sufficient information and rationale to support no release of hazardous substances on the property (e.g. storage of hazardous materials associated with wood shop, motor maintenance shop, battery storage) in addition to no impacts from adjacent contaminated sites.	<p>The detailed information on the history and environmental condition of the NE FOST property is contained in the Site Specific Supplemental Environmental Baseline Survey (SSSEBS), Group 6, June 2000; the NE Parcel Phase I Environmental Site Assessment (ESA), March 2006; and the Visual Site Inspection (VSI), June 2000, updated/recertified in February 2006. These documents are included by reference in the FOST, and have been delivered to the regulatory agencies and the prospective property recipient. Below is summary information from these documents:</p> <p>Building 1445 was used by the U.S. Air Force as a K-9 kennel/training facility.</p> <p>In SSSEBS Group 6, June 2000, Building 1440 was listed as inactive with past activities being "Outdoor equipment checkout (recreation center) until 1997, motor maintenance shop, wood shop, battery storage." This building was designated as an Outdoor Equipment Storage and checkout for items such as skis, tents, boats, etc. The only activities regarding motor maintenance, wood shop and battery storage was strictly for maintenance of outdoor equipment such as small fishing boat motors, storage of starter batteries for other outdoor equipment, and wood shop for minor equipment repair. There were no environmental concerns during the interior and exterior site walk of Building</p>

		1440. During the SSSEBS investigation there were no materials discovered to have been stored at the Site.
2	Please add the following language to FOST text: Should this property be considered for the proposed acquisition and/or construction of school properties utilizing State funding, a separate environmental review process in compliance with California Education Code 12710 et.seq will need to be conducted and approved by DTSC.	There are no plans to use the NE FOST parcel now, or in the future, as school properties. We assume that the California Education Code applies to any property within the State. Prior to the AF placing this notification into our FOST, please confirm that this notification requirement is being applied consistently to other property transactions within the State.
Specific Comment 1	Several of the NE FOST parcels comprise a portion of designated Air Force Installation Restoration Program (IRP) site AOC G-1. Sampling has been performed only in the western portion and contamination has been found in the southwestern portion of AOC G-1, in an area west of the NE FOST parcels. The document needs to justify with additional information that the parcels in the NE FOST are not contaminated. This was effectively demonstrated to DTSC in a meeting on February 16, 2006. One way to document this would be by providing a use timeline for each of the parcels similar to what was presented during the February meeting. As part of this timeline, any suspected activity that could have led to contamination should be discussed and a reason given why the contamination likely did not occur. Lastly, the document should clearly reference what was used to develop the timeline, or if available, where the information is published.	Although the AOC G-1 is within the Parcel as designated by the Sacramento County Assessor's office, AOC G-1 is outside the FOST boundaries. The tank located to the south of the FOST boundary is not part of the area for transfer. The tank will not impact the property transfer. Phase I ESA has been changed and updated to reflect that AOC G-1 is outside the FOST boundary.
2	Related to Comment 1, the document identifies several references that were used in developing the NE FOST. At least some of these are likely to contain information leading to the conclusion that the NE FOST parcels are not contaminated. The NE FOST should identify which referenced documents were used to make these conclusions.	<p>The first sentence of FOST Section 4, Environmental Condition of Property:</p> <p>Based on a review of the VSI in the SSSEBS and the supporting Phase I ESA documentation the Property is considered Department of Defense Environmental Condition Category 1, <i>areas where no release or disposal of hazardous substances or petroleum products has occurred (including no migration of these substances from adjacent areas).</i></p>

3	A significant source of volatile organic compounds, which have contributed to groundwater contamination, is located just southwest of the NE FOST parcels. The NE FOST needs to provide justification that groundwater below the parcel is not contaminated at concentrations above Federal/State Maximum Contaminant Levels. This justification needs to factor in the uncertainties associated with definitively identifying contaminated groundwater nature and extent.	An addendum to the ESA Phase I has been added that provides additional information on environmental sites within 0.25 miles of the NE FOST parcel. The absence of groundwater impact on the NE parcel is addressed in this addendum.
4	Industrial activities have historically occurred in the southernmost parcel (215 0300-052 in NE FOST Attachment 1) in the NE FOST. This parcel has never been sampled, presumably because the Air Force believed there was no contaminant release. With no sampling done, there is uncertainty (albeit limited) as to whether there is contamination present. Additionally, this parcel is adjacent to a former oil refueling facility (IRP Site AOC G-2) with documented fuel contamination in the soil. Based on the contamination uncertainty and the proximity to site AOC G-2, we believe it prudent to not include Parcel 215 0300 052 in the NE FOST unless it can be demonstrated that the parcel is not contaminated, nor adversely impacted by AOC G-2.	Extensive assessment, review and environmental investigation have gone into the determination of environmental condition of properties at the former McClellan AFB. The Air Force has determined that the NE FOST parcel is DOD Environmental Condition Category 1.  Site AOC G-2 has undergone extensive investigations and the nature and extent is well understood. The limits of Site AOC G-2 do not impact the NE FOST parcel.
5	The soils surrounding structures built before 1978 should be evaluated for the potential release of lead-based paint from structures.	The Air Force does not believe that there has been a release of lead-based paint that requires sampling. Notice is provided to the Transferee in the contract for sale that the Transferee is responsible for managing all LBP and potential LBP in compliance with all applicable laws and regulations.

EPA's comments  
**Robert Carr's Comments on**  
 March 16, 2006 draft Northeast FOST

CMT #	Comment	Response
1	The NE FOST describes an area which the AF believes is uncontaminated, but it is not clear from the document whether the AF is asserting that the property is suitable for transfer under 120(h)(3) or 120(h)(4). If the latter, there needs to be language in the FOST which describes how the AF has proposed and the regulators have accepted the identification of the parcel(s) as "uncontaminated" under 120(h)(4).	Section 8 has been replace to clearly state that the AF has proposed transfer under 120(h)(4).
2	Regarding the preceding comment, please note, however, that there is information in the ESA which suggests that there is ongoing remediation associated with a former tank on the parcel. If the area where the tank was located and the material was spilled/released is within the FOST parcel, then that portion of the parcel does not meet the criteria for 120(h)(4); if, however, that area is outside of the FOST parcel, the description needs to be clarified.	Although the tank is within the Parcel as designated by the Sacramento County Assessor's office the tank is outside the FOST boundaries. The tank located to the south of the FOST boundary is not part of the area scheduled for transfer. The tank will not impact the property transfer. Phase I ESA has been changed and updated to reflect that the tank is outside the FOST boundary.
3	The FOST also refers to the use of Building 1440/1445 as a wood shop, motor maintenance shop and battery storage area. These activities frequently involve the storage of hazardous substances and are often associated with releases of hazardous substances. What information is available to support the assertion that no storage, release or disposal of hazardous substances has taken place at these buildings?	<p>Building 1445 was used by the U.S. Air Force as a K-9 kennel/training facility.</p> <p>In SSSEBS Group 6, June 2000, Building 1440 was listed as inactive with past activities being "Outdoor equipment checkout (recreation center) until 1997, motor maintenance shop, wood shop, battery storage." This building was designated as an Outdoor Equipment Storage and checkout for items such as skis, tents, boats, etc. The only activities regarding motor maintenance, wood shop and battery storage was strictly for maintenance of outdoor</p>

		equipment such as small fishing boat motors, storage of starter batteries for other outdoor equipment, and wood shop for minor equipment repair. There were no environmental concerns during the interior and exterior site walk of Building 1440. During the SSSEBS investigation there were no materials discovered to have been stored at the Site.
4	Section 5.2 applies the standards of 40 CFR 302.4 to the make the determination that no hazardous substances were stored, released or disposed of on the parcels. This is not the standard for identification of uncontaminated parcels under 120(h) (4) and the language needs to be revised if the parcels are being proposed for transfer under (h)(4).	Section 5.2 has been corrected. The 120(h)(4) determination is based on "... no area(s) on the Property where release or disposal of hazardous substances or petroleum products has occurred (including no migration of these substances from adjacent areas).
5	Since there are no restrictions proposed for this parcel, the language which qualifies the obligation of the AF to conduct additional response or corrective action, required to allow a change in land use, should be eliminated.	The qualification language regarding land use change has been eliminated.
6	The ESA indicates at Tables 4-2, 4-3 and 4-4 that the title to the property has been transferred to McClellan Park. This is clearly not correct and raises concerns regarding the balance of the information contained in the ESA. Please revise the tables and undertake a check of the factual basis for the other claims in the document.	McClellan Park is listed as the Grantee on the Chain of Title which can be located in Appendix D of the ESA. The term Grantee is also described as "(Buyer/Lessee)".

EPA's comments  
**Joe Healy's Comments on**  
March 16, 2006 draft Northeast FOST

CMT #	Comment	Response
1	Please add a map that shows the location of the nearest significant IRP sites and groundwater contamination plumes in relation to the FOST parcels.	The NE FOST ESA addendum has included a map that shows IRP sites, .25 mile buffer boundary, and groundwater plumes.
2	Discuss in the FOST text the status of the nearest significant IRP sites and groundwater contamination plumes and the level or lack of direct impacts on the FOST parcels. For example, the IRP site to the West once had boundaries overlapping parts of some of these parcels. Explain or reference the explanation for how the source contamination is not located on or directly affecting the parcels.	The NE FOST ESA addendum has included a summary of the IRP sites that fall within the .25 buffer boundary of the NE FOST parcel.
3	Please include a list of key references for the claims made in this FOST, including claims about the contamination at nearby sites requested in the preceding comments.	Section 1.2 of the FOST lists references; specifically the NE FOST ESA lists the Air Force documents that were used to conduct historical research.
4	Please clarify the correct status of the tank sites nearby. I believe the RWQCB is making a more detailed comment about one of these nearby sites.	The NE FOST ESA addendum has included a summary of the IRP sites that fall within the .25 buffer boundary of the NE FOST parcel.
5	Please assign a DSR number to this document so that it's versions and comments can be tracked along with other McClellan schedules.	The Northeast FOST has been assigned DSR # 1853.

DTSC Comments on Draft Final FOST, 13 June 2006

Cmt #	DTSC Comment	AF Response
1.	<p>Response to DTSC General Comment 1 and Specific Comment 1. We appreciate the Air Force's attempt to address our comments by adding the Phase I Environmental Assessment (ESA) Addendum to the FOST. However, the response did not fully address our comment and appears inaccurate. We requested that sufficient justification be provided to show that the FOST parcel does not overlap with the disposal pit in the western portion of site AOC G-1. The response essentially says that "AOC G-1 is outside the FOST boundary". This is inconsistent with all other McClellan documents showing the AOC G-1 location. The response also notes that the Phase I Environmental Site Assessment has been updated to show that the parcel and AOC G-1 are not contiguous. This updated ESA was provided as an Addendum attachment to the draft final FOST. Yet, the description of AOC G-1 and the map presented in the ESA Addendum clearly show that the parcel is in AOC G-1. We believe we have a mutual understanding that the portion of the FOST parcel on the east side of AOC G-1 is uncontaminated, but we need justification presented either directly in the FOST or in a supporting document. The FOST and Addendum do not achieve this.</p>	<p>DTSC is correct that the AF, regulatory agencies, LRA, property recipient, and the property recipient's environmental consultant all concluded that the portion of AOC G-1 within the NE FOST parcel is CERFA Category 1 Property, <i>areas where no release or disposal of hazardous substances or petroleum products has occurred (including no migration of these substances from adjacent areas).</i></p> <p>The first paragraph of Section 5.2 of the FOST has been replaced with the following:</p> <p><i>The NE FOST parcel includes a portion of AOC G-1 as it was identified during the installation restoration program's preliminary assessment stage. The AOC G-1 remedial investigation and the NE Parcel Phase I ESA conducted records review (e.g., title records, historic property usage, aerial photo and interpretation), interviews, site surveys and investigations of AOC G-1. The conclusion of this work is that any AOC G-1 environmental concerns are completely outside of the NE FOST property.</i></p>
2.	<p>Response to DTSC General Comment 2. We again request that the Air Force include the following language in the FOST as a notification to the future property owners: "Should this property be considered for the proposed acquisition and/or construction of school properties utilizing State funding, a separate environmental review process in compliance with California Education Code 12710 et.seq. will need to be considered and approved by DTSC".</p>	<p>Requested language added to Section 6, Regulator Coordination.</p>

	<p>This type of notification language is routinely included in FOSTs, DTSC's Office of Military Facilities (OMF) also routinely includes it in no further action letters. All property in California is subject to these Education Code requirements. Our desire is to assure that the future property owner understands that OMF's concurrence with the FOST does not mean that they do not have to satisfy the Education Code requirements should a school be built on the property.</p>	
3.	<p>Response to DTSC Specific Comment 3. Our comment was for the Air Force to provide sufficient justification that the FOST parcel not overlie contaminated groundwater. The response refers us to the ESA Addendum for this justification. We believe you are referring to the discussion for contaminated site PRL T-044 in the addendum. The only apparent justification is a statement that the FOST parcel is upgradient of PRL T-044 so that groundwater below the FOST parcel could not be impacted. This is an inaccurate statement as periodically (approximately one quarter per year) the flow direction is directly from PRL T-044 to the FOST parcel. As requested in our original comment, please provide sufficient justification that the FOST parcel is not impacted by groundwater contamination.</p>	<p>The second paragraph in Section 5.2 has been modified:</p> <p><i>Extensive groundwater investigations, monitoring and cleanup has been conducted at the former McClellan AFB. There is no known or suspected groundwater contamination underlying the NE FOST property. Groundwater monitoring and corresponding reporting in the vicinity of the property has been ongoing for over 10 years. There are currently approximately 30 monitoring wells within the immediate vicinity of the property. The McClellan groundwater monitoring program has documented the following:</i></p> <ul style="list-style-type: none"> <li><i>• The NE FOST property is within 2,000 feet of three small groundwater plumes</i></li> <li><i>• The release locations and boundary of these three small plumes is outside of the NE FOST property</i></li> <li><i>• The primary groundwater flow direction moves the plumes away from the NE FOST property (the plumes are under active remediation starting in October 2005)</i></li> </ul> <p><i>Because the property is within 2,000 feet of the three small groundwater, it is within the County of Sacramento Consultation Zone. The Sacramento County Well Ordinance found in Sacramento County Code, Chapter 6.28, Wells and Pumps, Section 6.28.000(G) contains the consultation zone requirements.</i></p>

4.	<p>Response to DTSC Specific Comment 4. The response provides no backup justification addressing our concern. Our concern is the potential impact of AOC G-2 to and the potential for contamination in the southwestern-most parcel in the FOST. The response essentially states that AOC G-2 has undergone extensive investigations and the nature and extent of contamination understood, but provided none of the requested justification. AOC G-2 is an industrial site that contained an above-ground tank within a bermed area, and numerous pipelines, filling stations, and drains. Contamination has been found within the bermed area of AOC G-2. Investigation borings outside the bermed area are spaced at approximately 50 to 100 foot intervals. Based on the investigation conducted to date, DTSC concurs that the likelihood of contamination in the areas of the pipelines, filling stations, and drains, outside the bermed area is relatively small, yet there is a potential. Additionally, aerial photographs clearly show industrial activities in the southwest portion of the FOST parcel. No investigation work has been conducted in this area. Based on the contamination uncertainty and the proximity to AOC G-2, we continue to believe it not prudent to include this parcel (the western portion of Parcel 215-0300 052) in the FOST unless the Air Force can demonstrate that the parcel is not contaminated, nor adversely impacted by AOC G-2.</p>	<p>The Air Force agrees with DTSC's summary that the investigation outside the bermed area of AOC G-2 has not found any contamination of concern, and that it is unlikely that any contamination was released or migrated outside of the bermed area.</p> <p><i>The Draft Final Local Reuse Authority Initial Parcel Record of Decision #2 (IP #2 ROD), for the Former McClellan Air Force Base (McAFB) dated February 2006 has been added as a reference to the FOST. The IP #2 ROD documents the nature and extent of the contamination at AOC G-2, and selects boundaries for remedial action for the protection of human health and the environment. The AOC G-2 remedial boundary is well outside of the NE FOST parcel. Additional nature and extend discussions have been added to the AOC G-2 section of the ESA Phase I addendum.</i></p> <p>Aerial photographs show that the southwest portion of the FOST parcel was used as a parking/storage lot. Upon further analysis, the aerial photographs show that the activities on this lot were the storage of cars and recreational vehicles and not industrial activities. This is consistent with the Air Force's "Morale, Welfare, and Morale" (MWR) use of the NE Parcel Property. A descriptive paragraph and the aerial photographs have been added to the ESA Phase I addendum.</p> <p>Table 2.0, Property Inventory Description, Former Air Force Use column for parcel 215-0300-055 has been updated as follows:</p> <p><i>Parking/sales/storage lot for privately owned vehicles (section of the parcel within this FOST).</i></p>
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5.	<p>Response to DTSC Specific Comment 5. There are buildings on these parcels that may contain lead based paint. There will be no restrictions on the use of this parcel. The soil surrounding these buildings has not been sampled. DTSC's position is that property where it is likely that lead based paint has been released into the soil must be sampled, and the sample results evaluated using DTSC's Lead Risk Assessment Spreadsheet (LeadSpread 7). LeadSpread 7 uses site-specific information, but results typically show that lead concentrations in soil of approximately 150 ppm are suitable for residential use. If the results of this sampling show that these parcels are not suitable for unrestricted use, the soil must be remediated, or its use restricted appropriately. DTSC will work with the property recipient to deal with any issues regarding residual lead based paint in soil.</p>	<p>This comment will be identified as an unresolved comment in the Final NE Parcel FOST.</p> <p>Both the FOST and contract for property sale contain the notice that the Transferee is responsible for managing all LBP, potential LBP, and LBP debris in compliance with all applicable laws and regulations.</p>
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## **Attachment 5**

### FOST Concurrence Related Correspondence



Linda Adams  
Secretary

# California Regional Water Quality Control Board Central Valley Region

Robert Schneider, Chair



Arnold  
Schwarzenegger  
Governor

---

## Sacramento Main Office

11020 Sun Center Drive #200, Rancho Cordova, California 95670-6114  
Phone (916) 464-3291 • FAX (916) 464-4645  
<http://www.waterboards.ca.gov/centralvalley>

1 June 2006

Attention: Mr. Philip H. Mook, Jr., P.E.  
AFRPA Western Region Execution Center  
3411 Olson Street  
McClellan, CA 95652-1003

***DRAFT FINAL NORTHEAST FINDING OF SUITABILITY FOR TRANSFER (FOST) (DSR# 1853-3), FORMER McCLELLAN AIR FORCE BASE (AFB), SACRAMENTO COUNTY***

Regional Water Quality Control Board (Regional Board) staff reviewed the subject document (FOST), submitted 22 May 2006. The purpose of the FOST is to document environmental-related findings and the suitability to transfer the real property (approximately 12 acres) and any improvements on the Northeast FOST at the former McClellan AFB to McClellan Business Park. The property will be transferred by deed and its anticipated use is mixed use housing and retail use. Regional Board staff has reviewed the FOST and the Responses to Comments and has determined that our comments on the draft (letter dated 17 April 2006) have been adequately addressed.

If you have any questions, please contact me at (916) 464-4669, or e-mail me at [jdtaylor@waterboards.ca.gov](mailto:jdtaylor@waterboards.ca.gov).

/s/

JAMES D. TAYLOR, R.G.  
Engineering Geologist

cc: Mr. Joe Healy, United States Environmental Protection Agency, San Francisco  
Mr. Kevin Depies, Department of Toxic Substances Control, Sacramento  
Mr. Steve Mayer, AFRPA Western Region Execution Center, McClellan  
Mr. Don Gronstal, AFRPA Western Region Execution Center, McClellan





**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX**

**75 Hawthorne Street  
San Francisco, CA 94105**

June 15, 2006

Philip Mook  
Program Execution Team Chief  
AFRPA Western Region Execution Center  
3411 Olson Street  
McClellan, CA 95652-1003

**Re: Concurrence on Finding of Suitability to Transfer (FOST) for the Former  
McClellan AFB Northeast Parcel (NE Parcel) [DSR #1853]**

Dear Mr. Mook:

The U.S. Environmental Protection Agency (EPA), Region IX has received the above referenced FOST from the U.S. Air Force (AF) dated June 14, 2006. The FOST addresses the property at former McClellan Air Force Base identified as the Northeast Parcel. This parcel, herein after referred to as "the Property," is proposed for transfer to McClellan Business Park.

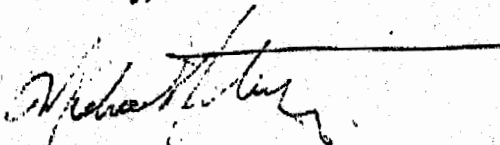
Pursuant to this FOST, the AF is proposing to enter into deeds for transfer under § 120(h)(4) of the Comprehensive Environmental Response Compensation and Liability Act ("CERCLA"), 42 U.S.C. § 9620(h)(4). When entering into a deed for transfer under CERCLA § 120(h)(4), the AF is required to have obtained the concurrence of EPA that the parcel meets the criteria for an uncontaminated parcel under CERCLA 120(h)(4) and include in such deed a covenant warranting that any remedial action or corrective action found to be necessary after the date of transfer shall be conducted by the United States.

EPA has reviewed the Final FOST and the accompanying Phase I Environmental Assessment. EPA concurs with the AF's determination that this parcel meets the criteria for an "uncontaminated parcel" i.e. that there has been no release of hazardous substances or petroleum products on the parcel and the parcel therefore is suitable for transfer under 120(h)(4). Without independent investigation or verification of certain information contained in the documentation, the undersigned concurs, to the extent set forth below, with the AF's determination that the parcel is suitable for transfer. The concurrence shall not be construed in any manner inconsistent with any obligation, right or authority existing under the McClellan Federal Facilities Agreement entered into by EPA, the State of California and the Air Force. The review of the documentation was completed pursuant to CERCLA §§ 120(h)(4), and the sole purpose of this letter is to satisfy the requirements of these provisions. The undersigned expressly reserves all rights and authorities relating to information not contained in this FOST

and accompanying documentation, whether such information is known as of this date or is discovered in the future.

We appreciate the opportunity to review the FOST and the AF's cooperative efforts in transferring another 12 acres for reuse. If you have any questions regarding this letter, please contact Joseph Healy at (415) 972-3269.

Sincerely,



Michael Montgomery, Acting Chief  
Federal Facilities and Site Cleanup Branch

cc:

Steve Mayer  
AFRPA Western Region Execution Center  
3411 Olson St.  
McClellan, CA 95652-1003

Chris Sherman  
Department of Toxic Substances Control  
8800 Cal Center Drive  
Sacramento, CA 95862-3200

James Taylor  
California Regional Water Quality Control Board  
Central Valley Region  
11020 Sun Center Drive #200  
Rancho Cordova, CA 95670-6114



Linda S. Adams  
Secretary for  
Environmental Protection



## Department of Toxic Substances Control

Maureen F. Gorsen, Director  
8800 Cal Center Drive  
Sacramento, California 95826-3200



Arnold Schwarzenegger  
Governor

June 22, 2006

Mr. Steve Mayer  
AFRPA/DD-McClellan  
3411 Olson Street  
McClellan, California 95652-1071

CONDITIONAL CONCURRENCE WITH FINDING OF SUITABILITY TO TRANSFER  
NORTHEASTERN PARCEL (NE FOST), JUNE 14, 2006, AND CONDITIONAL  
DETERMINATION OF NO FURTHER ACTION FOR NE PROPERTY,  
FORMER MCLELLAN AIR FORCE BASE, SACRAMENTO, CALIFORNIA

Dear Mr. Mayer:

The Department of Toxic Substances Control (DTSC) conditionally concurs with the NE FOST. This concurrence is conditioned upon the Air Force including in the NE FOST an unresolved comment regarding DTSC's concern about the potential for lead-based paint releases to soils from several structures present on the NE FOST parcels.

The NE FOST property consists of 6 parcels totaling approximately 12 acres. Please refer to the enclosed map. The property was used by the Air Force for vehicle parking, a park consisting of ball fields and tennis courts, a kennel, and a recreational equipment check-out center. There are no concerns regarding nearby contamination sites.

The NE FOST property is identified for transfer to McClellan Business Park. In order to facilitate the transfer of this property, McClellan Business Park has agreed to work with DTSC to evaluate the potential for, and investigate and remediate if necessary, lead based paint releases to soils surrounding several structures located on the property.

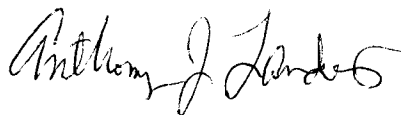
Based on the review of the FOST and other pertinent cleanup documents, DTSC has determined that No Further Action is necessary, except for the evaluation of potential lead-based paint releases to soils, for NE property (see enclosure), pursuant to Health and Safety Code Chapters 6.8 and 6.5.

Mr. Steve Mayer  
June 22, 2006  
Page 2

Please note that, should this property be considered for the proposed acquisition and/or construction of school properties utilizing state funding, a separate environmental review process in compliance with California Education Code 12710 et seq., will need to be conducted and approved by DTSC. The State also reserves the right to address any appropriate environmental or human health issues should new information concerning the environmental condition of the property become available in the future.

If you have any questions regarding this letter, please contact Ms. Theresa McGarry at (916) 255-3664 regarding the lead-based paint evaluations, or Mr. Kevin Depies, project manager of my staff, at (916) 255-3688.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony J. Landis". The signature is fluid and cursive, with a large initial "A" and a stylized "J".

Anthony J. Landis, P.E.  
Chief  
Northern California Operations  
Office of Military Facilities

Enclosure

cc: Mr. Philip Mook, Jr.  
AFRPA/DD-McClellan  
3411 Olson Street  
McClellan, California 95652-1071

Mr. Allen Hersh  
McClellan Park  
3140 Peacekeeper Way  
McClellan, California 95652

Mr. Joe Healy (SFD 8-1)  
U.S. Environmental Protection Agency  
Region IX  
75 Hawthorne Street  
San Francisco, California 94105

Mr. Steve Mayer  
June 22, 2006  
Page 3

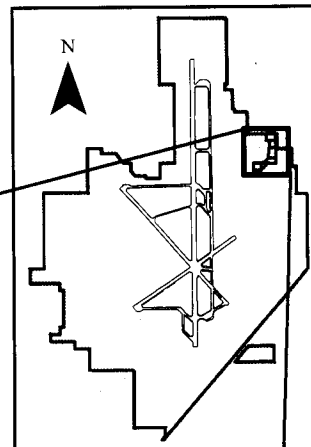
cc: Mr. James Taylor  
Regional Water Quality Control Board  
Central Valley Drive, #200  
Rancho Cordova, California 95670-6114

Mr. Daniel T. Ward  
Office of Military Facilities  
Department of Toxics Substances Control  
8800 Cal Center Drive  
Sacramento, California 95826-3200

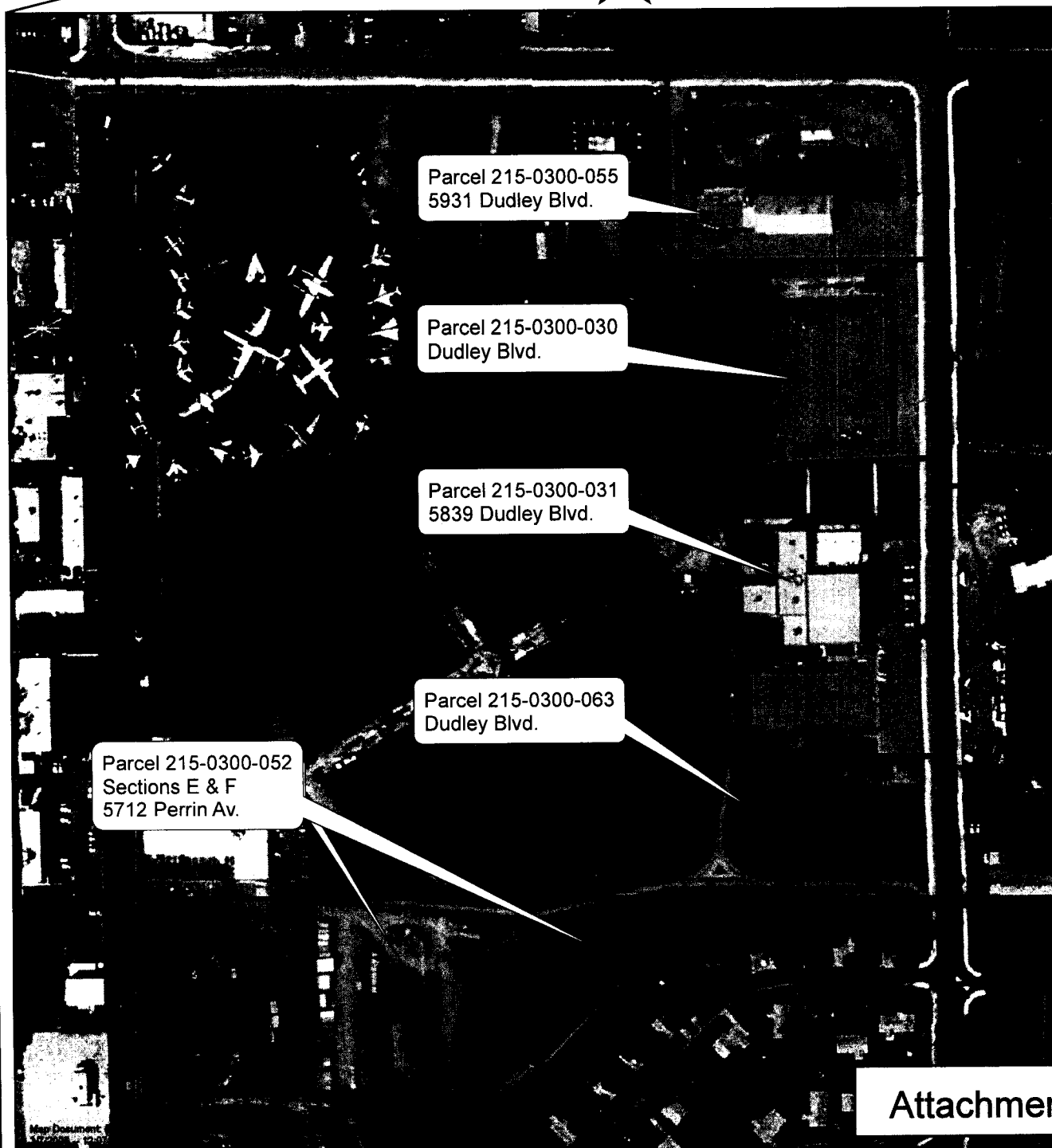
Mr. Kevin Depies  
Office of Military Facilities  
Department of Toxics Substances Control  
8800 Cal Center Drive  
Sacramento, California 95826-3200

Ms. Theresa McGarry  
Office of Military Facilities  
Department of Toxic Substances Control  
8800 Cal Center Drive  
Sacramento, California 95826-3200

# North East Parcel FOST



0 50 100 200 300 400  
Feet



Attachment 1

## **Attachment 6**

### **FOST Public Notice and Related Correspondence**

# Public Notice of Finding of Suitability to Transfer

**The U.S. Air Force Real Property Agency (AFRPA)** intends to sign a Finding of Suitability to Transfer (FOST) document for approximately 12 acres of land and facilities at former McClellan Air Force Base. The property will be transferred to McClellan Business Park for mixed use housing and retail use. This property is located near Freedom Park, in the northeast area of the former base.

The FOST is the determination by the Air Force that there are no unacceptable risks to human health and the environment, and the property is suitable for transfer. An extensive review of the environmental condition of the property was completed with federal environmental regulatory review. The State Department of Toxic Substances Control is currently reviewing this FOST and will draft a Land Use Covenant containing deed restrictions if necessary. No hazardous substances that require cleanup were stored or known to have been released or disposed of on the property.

The public is invited to review and submit comments on the proposed land transaction during the comment period from **April 3 to May 3, 2006.**

A copy of the FOST and supporting documents can be reviewed at the McClellan Information Repository or on the web at **[www.afropa.hq.af.mil/mcclellan/mcclellan](http://www.afropa.hq.af.mil/mcclellan/mcclellan)**. The FOST can also be reviewed at the North Highlands-Antelope Library.

McClellan Information Repository  
3411 Olson Street  
McClellan, CA 95652

**Hours of Operation:**

8 a.m. to 3 p.m. Monday - Friday

For an appointment, call Laraine McQuillen,  
(916) 643-1250, Ext. 239.

North Highlands-Antelope Library  
4235 Antelope Road  
Antelope, CA 95834

**Hours of Operation:**

Monday & Wednesday - 12-8

Tuesday & Thursday - 10-6

Friday - 1-5 Saturday - 11-5

Please submit any written comments or questions to: Brian Sytsma, AFRPA Community Relations Air Force Real Property Agency 3411 Olson Street, McClellan CA 95652  
**(916) 643-6420 Ext. 257; email: [brian.sytsma@afropa.pentagon.af.mil](mailto:brian.sytsma@afropa.pentagon.af.mil).**

**Comments are due (postmarked) by April 29, 2006.**

The property is being conveyed in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) 120(h)(4) The property became available for transfer as a result of the Base Closure and Realignment Act of 1990 (Pub. L. 101-510) and the subsequent closure of McClellan in July 2001.

